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FISCAL IMPACT STATEMENT

LS 6815

BILL NUMBER: SB 197

NOTE PREPARED: Dec 29, 2009

BILL AMENDED:

SUBJECT: Initiation of Referendum or Remonstrance Process.

FIRST AUTHOR: Sen. Walker

BILL STATUS: As Introduced

FIRST SPONSOR:

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: This bill provides that the number of persons who must sign a petition requesting the application of a petition and remonstrance process on a controlled project or a referendum on a controlled project is determined by multiplying 10% by the number of the registered voters residing within the political subdivision. (Current law provides that the petition must be signed by the lesser of: (1) 100 persons who are either owners of real property within the political subdivision or registered voters residing within the political subdivision; or (2) 5% of the registered voters residing within the political subdivision.) It retains the current law that allows persons signing the petition to be either owners of real property within the political subdivision or registered voters residing within the political subdivision.

Effective Date: July 1, 2010.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: Under current law, a petition requesting the application of a petition and remonstrance process on a controlled project may be filed by the lesser of:

- a. 100 persons who are either owners of real property within the political subdivision or registered voters residing within the political subdivision.
- b. 5% of the registered voters residing within the political subdivision.

Under this bill, the number of individuals (either registered voters or owners of real property) who must sign the petition is increased to 10% of the registered voters residing within the political subdivision. The bill deletes the option of having the petition signed by a combination of 100 registered voters and property

owners.

As more signatures are needed than under current law, this bill could possibly make it more difficult for opponents of a controlled project to request a petition and remonstrance process. The fiscal impact of this legislation would depend on whether fewer controlled projects were permitted to proceed to the petition and remonstrance process than under current law.

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: Local taxing units.

Information Sources:

Fiscal Analyst: David Lusan, 317-232-9592.